

~~CONFIDENTIAL~~  
INFORMATION REPORT

25X1A20  
REPORT NO.  
CD NO.

COUNTRY Germany (Russian Zone)  
SUBJECT Development of the Police  
Authority of the GAI

DATE DISTR. 4 Feb 1949  
NO. OF PAGES 3

PLACE 25X1A6a  
ACQUIRED

NO. OF ENCLS.  
(LISTED BELOW)

DATE OF INFO

SUPPLEMENT TO  
REPORT NO.

25X1X6

1. Police authority in the Soviet Zone developed after the war largely without benefit of statute law, thus leaving a vacuum in which the German Administration of the Interior was able to establish by fiat its over-all authority. The only exception was in Saxony, where on 2 August 1946 the Land administration issued an ordinance with the force of law dealing with police matters. By virtue of the authority delegated to him in this ordinance, Hofmann, then Land Chief of Police, issued a detailed directive reorganizing the police in Saxony. This directive was countersigned by Kurt Fischer, at that time First Vice-President of Saxony and now President of the German Administration of the Interior.
2. The GAI came into being on 1 September 1946, devoted the remainder of that year to its own internal organization, and early in 1947 began bringing its influence to bear on the Lnder governments. The GAI began by calling the Lnder police chiefs to monthly conferences at which general lines of procedure (Einheitsrichtlinien) for practical police matters were laid down. The minister-presidents and interior ministers of the five Lnder had meanwhile been apprised of a secret SIA order making it mandatory for the Lnder to comply with GAI directives. This circumvention of the minister-presidents and of parliamentary controls by the direct use of police channels was supplemented by SED support. GAI directives were discussed in advance with the Central Secretariat of the SED, which, after approving the directives, informed the SED Landesverbnde in the Soviet Zone of necessary action.
3. By these methods the interior ministers, the Lnder police chiefs, and the top SED functionaries of the Lnder were formed into a solid phalanx which could be depended on to carry out in the Lnder cabinets the desires of the GAI. This effectively eliminated democratic influences on the top levels. Within the various police administrations, however, the professional police experts still attempted to draft directives and surveys in accordance with pre-Hitler laws. This resulted in numerous controversies within the police administrations and occasionally shelved or sidetracked the implementation of GAI instructions.

CLASSIFICATION

~~CONFIDENTIAL~~

STATE #X NAVY X NSRB  
#X FBI

DISTRIBUTION

Document No. 004

NO CHANGE IN CLASS.

DECLASSIFIED

Classified by: 15 S C

Date: 12 Apr 77

Author: 15 S C

Date: 17 May 76

Page: 021

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

This document is hereby regraded to  
CONFIDENTIAL in accordance with the  
letter of 13 October 1973 from the  
Director of Central Intelligence and  
Archivist of the United States.

Next Review Date: 2003

~~CONFIDENTIAL~~

CENTRAL INTELLIGENCE AGENCY

25X1A2a

- 2 -

~~CONFIDENTIAL~~

4. The minutes of the Lnder police chiefs' conferences at the GAI were handled as secret. It was known, however, that the main efforts of the GAI went into establishing stricter control over the Lnder police and coordinating and systematizing the five separate police apparatuses. The police organization of Saxony was recommended to the other Lnder as a model. Thuringia's Chief of Police M. D. Rausch frequently attempted to respect local conditions and the wishes of the population, but he also was forced to conform. Saxony-Anhalt's Chief of Police Knig was discharged for incompetence because the GAI could enforce its orders to him only through the Land Minister of the Interior, Robert Siewert. The late Hans Kahle, Mecklenburg's chief of police, was also lacking in initiative, and police conditions there remained backward. Brandenburg's Chief of Police Richard Staimer favored centralization and strengthening of police power and executed GAI instructions without scruple.
5. The state police administrations (Landespolizeibehrden) were instructed to take the GAI itself as a model for their internal organization. The aim of the GAI was to raise the state police administrations from the rank of departments on the same level with other departments in the several ministries of the interior to a special standing and a special relationship to the interior ministers.
6. The next coordinating effort was directed toward systematizing the lower police headquarters, particularly the Kreis police offices (Kreispolizeiamter), which exist in Kreise having no town of 100,000 or more. However, some officials, especially the Landrte, the heads of the non-urban Landkreise, attempted to continue to exercise the police authority delegated to them in existing statutes. Since this was contrary to the GAI desire to have police authority descend through direct channels from itself to the lowest policeman, the Land ministers of the interior were charged with convincing the Landrte of the necessity for compliance with GAI policies. This was done under the authority of the secret order to the minister-presidents informing them of the GAI's supreme power in police matters. It may be said that by the beginning of 1948 all opposition to the GAI policies had been effectively stilled.
7. Bringing the administrations of the smaller Soviet Zone cities into line with GAI desires in police matters offered no real difficulties. The smaller communities, in fact, never raised the issue of authority in local police matters, probably in part because of the incompetence of the local officials.
8. During the reorganizational period considerable difficulties were met with regard to budgetary provisions for police expenditures. The system existing at that time was anachronistic in a period of centralization, for the Lnder budgets appropriated funds only for the expenses of the Lnder police administrations themselves, and remaining police expenditures had to be covered in Stadtkreis and Landkreis budgets. In the Soviet Zone there was no legal basis for centralization of budgetary control on police matters, and the Finance Directorate of SMA refused to recognize this basic difficulty and disapproved Lnder budgetary provisions designed to correct it. Finally through the intercession of the Directorate of Internal Affairs (UVD) of SMA Marshal Sokolowski was prevailed upon to issue an order of compliance to the Finance Directorate.
9. After receiving support from the Directorate of Internal Affairs of SMA, the GAI directed the Lnder to take over all police appropriations. Again, Land Saxony took the first step, promulgating on 26 February 1947 a "Law on the Payment of Police Costs". Under the terms of this law, police and fire-fighting expenditures throughout the state were to be borne by the state government. The law, however, expressly stated that the city and Landkreis police installations would not become branches of the Land police office by virtue of inclusion of their expenses in the Land budget. Not included in police expenditures

~~CONFIDENTIAL~~~~CONFIDENTIAL~~~~CONFIDENTIAL~~

~~CONFIDENTIAL~~  
~~CONFIDENTIAL~~

CENTRAL INTELLIGENCE AGENCY

25X1A2a

- 3 -

under this law were those for railway, press, construction, dwelling, trade, and price control police. The exclusion of these police expenses from the budget did not have great significance. It did have the effect of stripping the press, construction, and trade police of their police character and leaving them as administrative functions of the local authorities. In the case of the construction police, this accomplished obliquely what otherwise could have been done only by special legislation, and makes it possible, by a later reinterpretation, to change their status again if necessary.

10. Coincident with SMA approval of budgetary reorganization, an allotment of police strength to the various Länder was agreed upon. Using as a basis the formula of four policemen to each 1000 inhabitants, the police were to be allotted in the following proportion per thousand:

Uniformed police:	2.9
Criminal police:	0.4
Administration police:	0.4
Railway police:	0.3

In some of the Länder it was found that this rigid schematic proportion of criminal to administrative police was inconsistent with the local needs, and as a consequence the Länder were granted the right to apportion the criminal and administrative police as they saw fit within an inclusive percentage of 0.8.

11. The mention of the fire-fighting services in the Saxony budget law is significant, indicating the intent to centralize it also. The presumed reason for the centralization of the fire-fighting services is that they represent still another numerically important concentration of man power and placing them under strict control might further the extension of police power into all phases of public life. SMA, however, decided firefighting was not to be considered a police function and that the services would not be integrated with the police. This ruling could be circumvented by the GAI inasmuch as the so-called Land Fire Protection Offices (Landesbrandschutzämter) were part of the Communal Affairs sections of the Länder ministries of the interior and took their orders directly from the interior ministers. Although intending to keep the fire-fighting services independent of the police, the GAI planned to centralize control as it had done in the police. The local authorities opposed the lessening of their authority in the Kreisbrandschutzämter just as they had the usurpation of local police authority, and the same budgetary problems arose. The difficulties of this situation have not been resolved, and as yet no clear-cut decision has been made on the future of the fire-fighting services.

~~CONFIDENTIAL~~

CONFIDENTIAL

~~CONFIDENTIAL~~